



English-Language Proficiency Policy Change

Executive Summary

On January 1, 2020, the College of Registered Nurses of Manitoba (the College) will be instituting a requirement that graduates from nursing education programs undergo language testing to demonstrate English language proficiency. The purpose of this requirement is to establish that graduates who apply for registered nurse (RN) registration have the minimum level of English-language competency to be capable of engaging in registered nursing (RN) practice in a safe and competent manner.

Language proficiency is the foundation of effective communication, and is the aspect of communication that can be measured objectively. As well, English is the language most commonly spoken and understood by our population and the language that the health system operates in. Therefore, a high degree of English-language proficiency is essential to providing safe registered nursing care, to establish therapeutic relationships with clients, and to collaborate effectively as part of the health care team, which are competencies required of RNs at entry-level.

Over the past several years, the College has received data from a variety of sources, which are detailed in the background paper, which forced us to question an assumption that informed our previous policy: successful completion of a Manitoba nursing education program could serve as an effective proxy measure for English-language proficiency. As a result, the College will be implementing the requirement that unless an applicant has practised as a registered nurse in the past two years and was required to meet an English language proficiency requirement where they obtained registration, the applicant will be required to undergo English-language proficiency testing.

The College has met with students and faculty in the nursing programs to advise them of the change. Since the results from language tests are valid for two years from the date the test was taken, students are being encouraged to take their tests while in the third year of their programs.



English Language Proficiency in Canadian Applicants for Registration with the College of Registered Nurses of Manitoba

Background

In *The Regulated Health Professions Act (RHPA)*, the overriding mandate of any regulator is to serve and protect the public interest. For the College of Registered Nurses of Manitoba, the public interest includes access to safe, competent and ethical registered nursing care. Safe, competent and ethical care cannot be provided without the ability to communicate with the client, members of the client's family and other healthcare providers.

The work of the College in protecting the public interest falls into three broad categories:

1. Setting the standards for registration;
2. Supporting registered nurses in achieving the standards; and
3. Taking action when the standards are not met.

Communication is a vital element in nursing in all areas of activity and in all its interventions such as prevention, treatment, therapy, rehabilitation, education and health promotion (1). Effective communication promotes collaboration and interdisciplinary teamwork, helps ensure that ethical and legal responsibilities and professional practice standards are met, and contributes to positive patient outcomes (2). Ineffective communication may lead to poor patient outcomes and increases in adverse incidents (3).

“Communication competence” is the appropriate use of language and strategies to enhance communication or repair breakdowns in communication in a specific context and culture (4). Therefore, language proficiency is the foundation of effective communication and is the aspect of communication that can be measured objectively. There are four elements of language proficiency: listening, speaking, reading, and writing. These four elements include the capabilities that allow an individual to comprehend and produce spoken language for proper and effective interpersonal communication (5).

A high degree of English language proficiency is extremely important for providing safe registered nursing care. The ability to engage in relational practice and to establish therapeutic relationships with clients are competencies required of registered nurses at the entry-level. Therefore, demonstrated English language proficiency is one element of fitness to engage in registered nursing practice. This is also why English language proficiency is identified in the College of Registered Nurses of Manitoba Council General Regulations as a requirement of all applicants for registration as a registered nurse in Manitoba.

The current policy on language proficiency includes three ways an applicant can demonstrate meeting the English language proficiency requirement in Manitoba:

1. Current or previous registration as a registered nurse in Canada with evidence of safe practice within the past two years working as a registered nurse in another jurisdiction in Canada where evidence of English language proficiency was required for registration eligibility;
2. Successful completion of an approved nursing education program in Canada within the past two years and where the education was provided in English or there was an English language requirement for admission to the program;
3. Completion of an approved English language proficiency test with minimum required scores achieved. This requirement is in keeping with the regulators of the three nursing professions in Canada who accept the International English Language Testing Source [IELTS] and Canadian English Language Benchmark Assessment for Nurses [CELBAN]. The College requires the minimum test scores for safe nursing practice as recommended by the national nursing language fluency working group following an extensive standards setting project to harmonize language requirements in Canada.

College policies are regularly reviewed to ensure that they remain evidence-informed and based on established best practices. We are reviewing our current policy regarding language proficiency because we have reason to believe that completion of a nursing education program in Canada is not a valid measure of English language proficiency at the level required for safe registered nursing practice.

The Issue to be Addressed

In 2011, the College began to receive information that suggested students with language proficiency issues at the university and college level were being managed through the educational institutions' student accessibility services offices and by way of academic accommodations (additional time for writing tests and examinations). We began to see that some students on application for initial registration asked for similar additional time to write the national RN-entry-to-practice-examination. As part of the College's assessment for eligibility for exam accommodation, individuals were asked to provide documentation of the need for similar accommodations in the past. The College received information that showed academic accommodations related to the following examples:

“post-traumatic stress disorder” - which the disability coordinator attributed to the individual originating from outside of Canada and therefore not proficient in English;

“learning disorder” - related to poor performance on assessment of reading comprehension, writing mechanics and writing composition due to the student’s level of English language skills; and

“difficulty completing exams in allotted time due to anxiety experienced in seeing others complete exams and due to a secondary language difficulty”

Further analysis on requests for testing accommodations show that since 2010, the College has received requests for accommodations for at least one writing on the RN-entry examination from a total of 76 individual applicants. Sixty-seven (89%) of these requests were from graduates of Manitoba nursing education programs. In 16 of the applications (24%) from the Manitoba graduates seeking testing accommodation, there was a documented language proficiency issue.

Also in 2011, the College became aware of a number of applicants for registration who had completed a Manitoba entry-level nursing education program and who, in the course of their application process, demonstrated that they had failed English language proficiency tests or degrees of reading power tests (a measure of literacy skills). The information that these individuals did not possess English language proficiency at the required level only became apparent to the College when the individuals were unable to meet the entrance requirements (a degree of reading power test for Canadian individuals or a language proficiency test for non-Canadians) for admission to Red River College to complete a required course of instruction. The course of instruction, a legislated requirement in the Registered Nurses Regulation, was required following a second failure of the RN-entry examination in order to be eligible for subsequent examination attempts. Of the 18 individuals that the College learned of, five were non-Canadian and were unable to demonstrate overall English language proficiency at the required level. The remaining 13 were Canadian students not able to read at the Grade 10 level as determined by a degree of reading power test. To date, four of the total 18 individuals have been able to achieve RN registration.

As a result of the above information, the College deemed there to be enough information to question that successful completion of a Manitoba nursing education program served as a proxy measure for English language proficiency.

In 2012, the College brought the language proficiency issue to the leaders of Manitoba nursing education programs (see Appendix A for a copy of the communication sent October 18, 2012). The topic of language proficiency issues in Manitoba nursing program graduates was discussed at a meeting with the education leaders October 25, 2012 and at all three regularly scheduled meetings throughout 2013. The majority of the programs expressed their own concerns about the language proficiency of students admitted to their programs. Many had indicated that they were considering introducing demonstrated language proficiency for entrance into the programs. When asked by the College however, they were not prepared to indicate a guarantee of any kind related to the English-language proficiency of graduates, citing a number of factors that could result in language proficiency not necessarily maintained at program completion.

As a result of the discussions between the College and the Manitoba nursing education programs, the University of Manitoba, former Faculty of Nursing (they are now known as the College of Nursing) pursued the introduction of an English language proficiency test for admission to the nursing program (see Appendix B). The nursing faculty advised the university's senate that the lack of proficiency in oral English was creating significant problems for some students who are admitted to the four-year baccalaureate program. This was even though these students had demonstrated their language proficiency through an assessment test or qualified for a waiver of assessment tests by virtue of length of residency or completion of high school in Canada.

Under *The Registered Nurses Act*, previous legislation in Manitoba, applicants were required to undergo language testing if they identified that their first language was not English or French. In 2013, the College began to receive information that on application, some Manitoba graduates were indicating that their first language was English or French in order to avoid having to undergo language testing to be eligible to write the RN-entry examination. We conducted a retrospective review of the results of language test results we received and the number of language test attempts in Manitoba graduates since 2009 who were required by College policy to undergo language testing. College policy during that

timeframe required testing in applicants who 1. identified that their first language was not English or French, or 2. indicated that their first language was English or French but the College had been advised of or identified language proficiency concerns. The results of our review showed that between 2009 and 2013, the College required 12 Manitoba graduates to undergo language testing under the policy. Four had declared that their first language was English and eight had declared a first language other than English or French. Of the eight individuals who had indicated a first language other than English or French, four successfully met the minimum language proficiency requirements on their first attempt and went on to achieve RN registration. Of the remaining four, only one was successful on a subsequent language test. Of the four individuals who had indicated that their first language was English or French, all were unsuccessful on their first attempts on the language proficiency test. Three were successful on subsequent testing.

It should be noted that the majority of the data included in this report was collected in 2013 as that is when the College began to analyze the magnitude of the language proficiency issue brought to our attention regarding Manitoba nursing program graduates. The requirement for individuals to complete a course of instruction following a second failure on the RN-entry-to-practice examination is no longer in place and so we no longer receive information regarding applicants unable to meet the required language level or reading power level. When the College became governed under *The Regulated Health Professions Act*, we were able to discontinue asking applicants to declare their first language and instead more appropriately focus on English language proficiency at the time of application.

With respect to complaints received by the College, for several years “communication” has been in the top three most frequently identified reasons, if not the most frequently identified reason, in complaints received regarding the practice of registered nurses in Manitoba. A review of the professional conduct matters managed by the College showed that to date there have been 7 cases where language proficiency was identified as a factor in a registrant’s unsafe nursing practice. Four of the cases involved Canadian graduates; two were from Manitoba.

The Solution

The College will require all applicants for registration to undergo language proficiency testing. The purpose of the College’s English language proficiency requirement is to establish that an applicant possesses the requisite entry-level language competency to be able to engage in registered nursing practice in a safe and competent manner. The perceived preferential treatment of Canadian applicants, based simply on the fact that their nursing education took place in Canada, could be deemed to be discrimination, as well as an unfair practice. According to The Manitoba Human Rights Commission, discrimination involves treating a person differently, to their disadvantage, where it is not reasonable to do so on the basis of a number of factors that include ancestry, nationality or national origin, and ethnic background or origin (6). In addition, *The Fair Registration Practices in Regulated Professions Act* is to help ensure that regulated professions, and individuals applying for registration by regulated professions, are governed by registration practices that are transparent, objective, impartial and fair. Requiring all applicants for registration, regardless of where they received their nursing education, to demonstrate English language proficiency by successfully completing an approved language test is fair and will help to ensure that all registered nurses have met the language requirement for registration and in a consistent manner.

Accepted Language Tests

The College currently accepts two English language proficiency tests: Canadian English Language Benchmark Assessment for Nurses (CELBAN) and the International English Language Testing System (IELTS).

CELBAN has advised the College that their test has not been validated outside of an international population and therefore, is not an appropriate test for Canadian nursing program graduates.

IELTS has advised the College that their test is currently being used in native English language speaker assessments to measure their achievement in attaining the levels required for the purpose of taking the test. IELTS has advised that it would be important to encourage English language speakers to prepare for the test and they have resources to help such candidates prepare. We note that the Government of Canada requires that individuals applying for Canadian citizenship to undergo language testing, even if they are from an English-speaking country. IELTS is one of the English language proficiency tests accepted by Immigration and Citizenship Canada for this purpose.

Effect on Students

The College recognizes that requiring graduates of nursing education programs to undergo language proficiency testing places an added burden on them when they apply for eligibility to write the RN-entry examination. We are introducing this requirement on January 1, 2020 so that there is ample time to communicate this requirement with the education program leaders and students.

An industry standard is that language test results are deemed valid by the testing companies for two years from the date the test was taken. Therefore, we are encouraging students to take their tests while in the third year of their programs to avoid any delays when they complete their programs.

We also recognize that undergoing testing carries a financial implication in that language tests can cost between \$300-\$400 per attempt. Again, we want to communicate this to students as early as possible so that they may plan accordingly.

Conclusion

A high degree of proficiency in reading, writing, listening and speaking in English is extremely important for providing safe registered nursing care. Over the past several years, the College has received a significant amount of information that led us to question the assumption that successful completion of a Manitoba nursing education program served as a proxy measure for English language proficiency. As a result, the College will be implementing the requirement that unless an applicant has practiced as a registered nurse in the past two years and was required to meet an English language proficiency requirement where they obtained registration, an applicant must undergo English language testing. This requirement will be in place for applicants for initial registration effective January 1, 2020.

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MEMORANDUM

Date: October 18, 2012

To: Education Leaders

From: Suzanne Wowchuk, Director, Regulatory Services

We wanted to let you know that the College of Registered Nurses of Manitoba is moving forward with a policy change that may require all applicants to demonstrate English or French language proficiency by way of one of achieving the minimum scores on an accepted language test in order to be eligible for registration. A high degree of proficiency in reading, writing, listening and speaking is extremely important for providing safe registered nursing care. Currently, only applicants who self-declare a first language other than English or French are required to provide acceptable language test results from one of the language tests CRNM accepts. The change to require testing of all applicants is as a result of the numerous and increasing issues related to the current approach where applicants are being put in a position to self-assess and self-declare their first language which poses a significant risk to the public. The current approach also adversely affects students who find out as a result of their poor performance on one of their limited number of writings of the Canadian Registered Nurse Examination (CRNE), that they have language issues.

At this time, CRNM has 3 approved language tests (CELBAN and IELTS to test English, and TEF to test French), and in keeping with the policies of the test providers, test results are valid for 2 years from the date of the test. In considering the approach to implementing a change to the language testing policy so that all applicants are subject to a language test and being mindful of the impact that this will have on nursing students in particular, one method that we have looked at is encouraging nursing students to complete one of the approved language proficiency tests while they are in their 3rd or 4th year of their program (since results are considered valid for 2 years from the date the test was taken). This would help to avoid a situation where students will be trying to fit in a language test after they have completed their programs but before applying to write the CRNE, as such an approach would result in a delay in writing an exam that students might have otherwise been eligible to write. We are interested in your thoughts on the implementation of such an approach and this topic has been added to the agenda for discussion at the next scheduled Education Leaders meeting October 25, 2012.

We are aware that some Manitoba nursing education programs are considering instituting language proficiency testing as an entrance requirement to the nursing program and CRNM is interested in whether your program is one of them. We may be able to work together in this regard as there is the potential for policy to be developed by CRNM to address the situation where a student who has completed a language proficiency test for entrance to the Manitoba nursing education program AND who successfully completes the program in an appropriate time frame could be deemed to have met CRNM's language proficiency requirement. We are hoping for your assistance in the development of such policy and again, would like to discuss this when we meet.

If you would be able to give the implementation of the policy changes outlined above some thought, we could discuss all of the considerations when we meet. Please do not hesitate to contact me if you have any questions. We look forward to meeting you next week.

Nursing faculty wants English test

- Appendix B -

U OF M SENATE DELAYS DECISION UNTIL 2014

By: Nick Martin

Posted: 07/21/2012 1:00 AM

The University of Manitoba's faculty of nursing could require new students to pass an English language oral proficiency test as early as September 2014.

The nursing faculty reported 13 per cent of applicants — from a pool of more than 600 would-be students a year — do not have English as a first language. Of those who make the cut, 23 per cent do not have English as a first language.



"Lack of proficiency in oral English is creating significant problems for some students who are admitted to the four-year baccalaureate nursing program, even though these students have demonstrated their language proficiency through an assessment test... or qualified for a waiver of assessment tests by virtue of length of residency or completion of high school in Canada," the nursing faculty told the university's senate.

Not only is a lack of oral English proficiency a classroom problem, it can be dangerous in the workplace, warned the faculty.

Sharon Alward

The ability to communicate effectively in the clinical setting is a critical element of the student's ability to

provide safe, ethical and competent care, the senate was told.

The nursing faculty had wanted new proficiency standards in place by the start of the 2013 school year, but the senate bounced the proposal back for further study, delaying implementation until at least September 2014.

University officials said the faculty of nursing would not be making anyone available for an interview.

Nursing is studying the senate discussion and reconsidering details of its proposal, said John Danakas, director of U of M marketing and communications.

The U of M Faculty Association also declined to comment.

"This isn't an issue which the membership in nursing have raised with us, and so we don't have sufficient information regarding a position, and don't have any comment on it at the present time," said UMFA president Prof. Sharon Alward.

U of M Students' Union president Bilan Arte said UMSU accepted nursing's position in principle, but not in the details.

"It is really important, especially during the practicum and patient interaction, that they be able to comprehend the most common language spoken in Manitoba and in the health-care system," Arte said. "It can be life-threatening."

UMSU questioned part of the proposal that would have required prospective students to pay for an oral language test if English wasn't their first language, even if their oral English skills were otherwise perfectly acceptable, she said.

"There was some concern this would be discriminating against students who indicated English was their second or third language," said Arte.

Arte said a student should be able to declare proficiency and not be automatically tested just because of the language spoken in their home when they were born.

The first language a student learns is not relevant if that student is proficient in English, said the UMSU president.

Neither the nursing faculty nor the U of M would say what, if anything, had caused the faculty to come forward.

Officials could not say if any other program has a requirement similar to the faculty of nursing's proposal.

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